

**TO:** Mayor and Board of Trustees  
**FROM:** Village Administrator Steve Stricker and Staff  
**SUBJECT:** Regular Meeting of August 13, 2012  
**DATE:** August 13, 2012

**PLEDGE OF ALLEGIANCE: Anthony Sorrentino, Pleasantdale Elementary School**

## **SENIOR CITIZENS ADVISORY COMMITTEE PRESENTATION**

Mr. Ralph Beardsly, the Downers Grove Township Senior Citizen Services Coordinator, will present a brief overview of his Committee's work. Attached please find an outline of the services provided by this organization.

## **6. ORDINANCES**

### **A. Special Use (16W535 South Frontage Road – Burr Ridge Car Care)**

Attached is an Ordinance granting special use approval for the display and sale of automobiles at Burr Ridge Car Care, on South Frontage Road. Automobile sales are limited to one car on display at a time. The Plan Commission has recommended approval of this request and, at its July 23 meeting, the Village Board directed staff to prepare the attached Ordinance.

**It is our recommendation:** that the Ordinance be approved.

### **B. Sign Variation (16W535 South Frontage Road – Burr Ridge Car Care)**

Attached is an Ordinance granting a sign variation to allow a "For Sale" sign in an automobile for sale at the Burr Ridge Car Care on South Frontage Road. The sign would be limited to a four square foot sign located inside the window of the car for sale. The Plan Commission has recommended approval of this request and, at its July 23 meeting, the Village Board directed staff to prepare the attached Ordinance.

**It is our recommendation:** that the Ordinance be approved.

### **C. Amend Liquor Code (for Starbuck's)**

The Board will recall that a new Class Q liquor license was recently approved for Starbuck's. At that time, Starbuck's contemplated only selling beer and wine by the glass. Although patrons could purchase a bottle of wine, Starbuck's required that the bottle be kept behind the counter and poured one glass at a time. Starbuck's policy prohibited patrons from taking any unused portion of the bottle home with them. Since opening, they have had requests

from residents in the Village Center who would like to purchase a bottle of wine and be able to take the unfinished portion of the bottle home with them. Therefore, they would now like to change their policy. Enclosed please find an Ordinance that amends the Class Q Liquor License to allow for this to occur. This language is similar to the languages that is found in all the other liquor licenses throughout the Village.

**It is our recommendation:** that the Ordinance be approved.

## **7. RESOLUTIONS**

None.

## **8. CONSIDERATIONS**

### **A. Plan Commission Recommendation – Special Use (161 Tower Drive – Ludicrous 6, LLC)**

Please find attached a letter from the Plan Commission recommending approval of a request by Ludicrous 6 LLC for special use approval to permit wholesale and retail sales of automobiles in an existing tenant space. In July of 2011, special use approvals were granted for retail sales of luxury automobiles at this location, subject to two, six-month trial periods. In February, 2012, the first trial period was completed and the second six-month trial period was approved. The petitioner has completed the second trial period and is seeking to renew the special use without a time limit.

There were no neighbors or anyone else from the public at the public hearing. There was one complaint received during the first six-month trial period and one complaint received during the second trial period. The first complaint (a neighbor reported hearing a loud car) was determined not to be a violation of the special use as it occurred during permitted hours. Staff was not able to verify the second complaint (a neighbor heard a loud car), but the petitioner reported they were not at the property at the time of the incident and alleged that it must have been a car not associated with this business.

One of the conditions of the special use was that all vehicles that are stored at the property be sold from this location with the sales tax going to the Village of Burr Ridge. The Village has sales tax data from the first six months of the business (September 2011 through February 2012) and a total of \$23,674.09 was received by the Village in sales tax from this business. The petitioner's attorney has reported that, in the subsequent months, March through May, the business experienced a substantial increase in sales, although that cannot be verified until the Village receives the sales tax from the State of Illinois.

The Plan Commission recommends that the special use be approved without a time limit. The other conditions of the special use would be continued and are listed in the attached letter from the Plan Commission.

**It is our recommendation:** that the Board direct staff to prepare an Ordinance granting a special use as recommended by the Plan Commission.

**B. Plan Commission Recommendation – Sidewalk Signs in Retail Business Districts**

Please find attached a letter from the Plan Commission recommending approval of an amendment to the Sign Ordinance to add “Portable Sidewalk Signs” as a conditional sign in the Business Districts. This recommendation was previously considered by the Board at the June 11, 2012 meeting. While generally in agreement with allowing portable sidewalk signs, the Board was concerned about two aspects of the Plan Commission’s recommendation. The Board did not want to require conditional sign approval and the Board wants to allow changeable copy on the signs. As a result, the Board remanded this matter to the Plan Commission for further consideration. In response to the Board’s direction, the consensus of the Plan Commission was as follows:

- The Commission agreed that changeable copy signs should be allowed, but with limitations. Changeable copy signs that are designed for that purpose, such as chalkboard signs, are acceptable. However, changeable copy signs that are handwritten on poster board not intended for such purposes should not be allowed and signs with changeable plastic letters may not always be appropriate, depending on their design and quality.
- The Commission does not want to allow plastic signs of any type, such as those now commonly used in County Line Square, and has added a condition that all portable sidewalk signs are made from wood or metal.
- The Commission remains concerned that allowing such signs without public review of the final design of the sign type may result in undesirable signs of low quality. Thus, the Commission continues to recommend that these signs be classified as conditional signs which will allow the Village to review the design of sign structure. The intent is that each property owner, not each business, presents an array of sign structure types that would be approved by the Village for general use throughout a shopping center. It is not intended that each individual tenant would have to present their sign(s) to the Plan Commission and Board for approval.

Staff shares the concerns that a conditional sign approval process may become cumbersome if individual businesses are subject to this requirement. The intent of the regulations as drafted is for the shopping center owner to seek conditional sign approval up front. Individual business then can choose the sign they want to use from the group of approved signs for each shopping center. It is possible, however, that a business may find a new type of sign that is acceptable to the shopping center and acceptable to the Village, but not on the approved list. In this situation, staff suggests that the Village allow the conditional sign approval to be amended without a formal sign petition or sign approval fee.

**It is our recommendation:** that the Board direct staff to prepare an Ordinance amending the Sign Ordinance as recommended by the Plan Commission and as modified above.

**C. Truck Driving Training School – 15W580 North Frontage Road**

Compass Truck, 15W580 North Frontage Road in unincorporated DuPage County, located directly west of the SAIA Truck Depot, has petitioned the DuPage County Zoning Board of Appeals to request a conditional use to allow for a CDL training school on their property (see attached). Although the hearing was originally scheduled for August 16, it is our understanding that this issue will be tabled at the request of the petitioner until September 20.

The Village has received calls in the recent past from residents complaining about this use, which apparently has been going on without proper County zoning approval since the spring. If this property were located in the Village, a truck training school would not be an allowed use at this location. With this in mind, **it is my recommendation** that Staff be directed to send a letter to the DuPage County Zoning Board of Appeals in opposition to this zoning request.

In addition, the Village Board may want to consider the possibility of force-annexing this property. The property is totally surrounded by the Village and can be force-annexed as early as the September 10 Board meeting. Our Village Attorney has indicated that the Village has the authority to force-annex this property, which would circumvent any zoning request, if the annexation occurs before the final action by the County. It is my understanding that residents along 75<sup>th</sup> Street, which are located just directly north of this property, will be in attendance on Monday evening to voice their concerns.

Board direction is requested.

**D. Plan Commission Recommendation – Text Amendment and Special Use (16W300 83<sup>rd</sup> Street – Moreno)**

Please find attached a letter from the Plan Commission recommending approval of a request for special use approval as per Section X.F.2 of the Burr Ridge Zoning Ordinance to permit a medical office in an existing building. The proposed medical office would occupy 1,020 square feet of the 15,577 square feet and would include only one doctor.

The Commission determined that the medical office use is consistent with other uses on 83<sup>rd</sup> Street. The property currently provides sufficient parking for the medical office and other uses in the building.

**It is our recommendation:** that the Board directs staff to prepare an Ordinance approving the special use as recommended by the Plan Commission.

**E. Plan Commission Recommendation – Text Amendment (Outdoor Kitchens)**

Please find attached a letter from the Plan Commission recommending approval of an amendment to Section IV.I of the Burr Ridge Zoning Ordinance to add outdoor kitchens as a permitted accessory structure in residential districts and to create appropriate regulations for outdoor kitchens.

Construction of outdoor kitchens in residential back yards has become a common feature of many homes in Burr Ridge. In response, the Plan Commission believes that the Village should create a separate category of regulations for outdoor kitchens in the Accessory Structures section of the Zoning Ordinance. The regulations recommended herein were developed with input from residents and from a contractor who has built outdoor kitchens in Burr Ridge. The regulations restrict outdoor kitchens to the rear yard and establish limitations on height and area.

**It is our recommendation:** that the Board direct staff to prepare an Ordinance as recommended by the Plan Commission.

**F. Contract for 2012 Brush Chipping Program**

Winkler's Tree Service has performed the fall and spring curbside brush chipping program for the Village since 1996. Once again, Winkler's has agreed to hold their rate of \$96.56 per hour per crew, which includes the necessary brush chipping equipment and 2 employees. \$30,900 has been budgeted for this program during FY12-13. To date, staff has been satisfied with the competency, responsiveness and quality of work performed by Winkler's Tree Service.

**It is our recommendation:** that a contract be awarded to Winkler's Tree Service, of LaGrange Park, for the fall 2012 and spring 2013 curbside brush chipping program at the rate of \$96.56 per hour, for a total not to exceed \$30,900.

**G. Contract for Pump Center Generator Maintenance**

The FY 12-13 Budget includes \$1,800.00 for the cost of an annual maintenance contract for the Pump Center emergency stand-by generator. This vital piece of equipment should be maintained to the highest standards to assure complete reliability and functionality.

Cummins NPower, of Hodgkins, has submitted a quote in the amount of \$1,490 for a one year maintenance agreement to service the Pump Center generator; this represents no increase from the previous year. This agreement consists of two (2) visits per year and includes the cost of all oil, lubricants and filters that are routinely needed. Cummins, which has a world-wide reputation in the field of power generation, is the company that manufactured the generator and installed the electronic control components for this equipment. They currently have a service contract to maintain the

generators at both the Public Works Department facility and the Village Hall. The Hodgkins branch of Cummins NPower has been performing this work for the Village for the past several years and all maintenance is performed by factory trained and certified technicians. They are the only local company that has the ability to perform these maintenance functions and also provide 24-hour emergency service. In addition, the proximity of the Hodgkins branch office has proven to be an invaluable asset in the past.

**It is our recommendation:** that a contract be awarded to Cummins NPower for the annual maintenance of the Pump Center emergency stand-by generator in the amount of \$1,490.

**H. Reappoint Sandra Allen to Board of Fire and Police Commissioners**

Mayor Grasso is recommending the reappointment of Sandra Allen to the Board of Fire and Police Commissioners for three-year term that will expire April 30, 2015. Ms. Allen has been a member of the BFPC since June 10, 2002.

**It is our recommendation:** that the recommendation to reappoint Sandra Allen to the Board of Fire and Police Commissioners be approved.

**I. Reappoint Barbara Miklos to E-9-1-1 Board**

The Mayor is recommending the reappointment of Barbara Miklos to the Emergency Telephone System (E-9-1-1) Board for a one-year term that will expire February 1, 2013. Ms. Miklos has been on the E-9-1-1 Board since December 13, 1989.

**It is our recommendation:** that the recommendation to reappoint Barbara Miklos to the E-9-1-1 Board be approved.

**J. Reappoint Bob Jewell to E-9-1-1 Board**

The Mayor is recommending the reappointment of Bob Jewell to the Emergency Telephone System (E-9-1-1) Board for a one-year term that will expire February 1, 2013. Mr. Jewell has been on the E-9-1-1 Board since February 25, 2002.

**It is our recommendation:** that the recommendation to reappoint Bob Jewell to the E-9-1-1 Board be approved.

**K. Reappoint Jerome Connolly to E-9-1-1 Board**

Mayor Grasso is recommending the reappointment of Jerome Connolly to the Emergency Telephone System (E-9-1-1) Board for a one-year term that will expire February 1, 2013. Mr. Connolly has been on the E-9-1-1 Board since May 12, 2008.

**It is our recommendation:** that the recommendation to reappoint

Jerome Connolly to the E-9-1-1 Board be approved.

**L. Reappoint Brooks Fuller to E-9-1-1 Board**

The Mayor is recommending the reappointment of Brooks Fuller to the Emergency Telephone System (E-9-1-1) Board for a one-year term that will expire February 1, 2013. Mr. Fuller has on the E-9-1-1 Board since March 14, 2011.

**It is our recommendation:** that the recommendation to reappoint Brooks Fuller to the E-9-1-1 Board be approved.

**M. Reappoint John Madden to E-9-1-1 Board**

The Mayor is recommending the reappointment of Police Chief John Madden to the Emergency Telephone System (E-9-1-1) Board for a one-year term that will expire February 1, 2013. Chief Madden has been on the E-9-1-1 Board since June 22, 2009.

**It is our recommendation:** that the recommendation to reappoint Police Chief John Madden to the E-9-1-1 Board be approved.

**N. Reappoint Alice Krampits to I & M Canal National Heritage Corridor**

The Mayor is recommending the reappointment of Alice Krampits as the Village's representative to the I & M Canal National Heritage Corridor Civic Center Authority Board for a four-year term that will expire June 25, 2015 (Ms. Krampits' term expired 6/25/11). Ms. Krampits has been the Village's representative to the I & M Canal National Heritage Corridor since June 25, 2007.

**It is our recommendation:** that the recommendation to reappoint Alice Krampits as Representative to the I & M Canal National Heritage Corridor be approved.

**O. Raffle License/Hosting Facility License - St. Helena Church**

Enclosed is an application from St. Helena's Church to conduct a raffle as part of its charitable event on Sunday, December 16, as well as a letter requesting waiver of the fidelity bond requirement. The church is planning to sell raffle tickets between September 16 and December 16, with the winner determined on December 16. Also enclosed is a request for a Hosting Facility License for the Church.

**It is our recommendation:** that a Raffle and Chance License and a Hosting Facility License be issued to St. Helena's Church for its December 16 raffle, for which tickets will be sold between September 16 and December 16, and that the fidelity bond be waived.

**P. Approval of Vendor List**

Enclosed is the Vendor List in the amount of \$1,201,933 for all funds, plus \$426,038.95 for payroll, for a grand total of \$1,627,971.95. The Vendor List includes the following special amounts:

- \$22,986.00 – Currie Motors for 2013 Ford Interceptor Sedan Police vehicle
- \$49,116.00 – Currie Motors for 2013 Ford Utility Police Interceptor vehicle
- \$23,120.55 – HDR Engineering for Phase III Madison Street improvement study-engineering
- \$14,162.29 – HDR Engineering for Phase III Madison/Joliet Road intersection improvements
- \$402,511.21 – Brothers Asphalt Paving for 2012 Road Program-payment #1

**It is our recommendation:**            that the Vendor List be approved.